

Uploading Forms 2848/8821 with electronic signatures

Richard Furlong, Jr.
Senior Stakeholder Liaison

Yvette Brooks- Williams
Senior Stakeholder Liaison

45th Annual Delaware Federal & State Tax Institutes
December 7, 2021

1

Not to be used or cited as precedent

1



Objectives

- Understand new option for submitting thirdparty authorization forms/signatures electronically
- Review step-by-step process for successfully uploading third-party authorization forms
- Learn what "electronic" signatures are acceptable
- Understand ways to authenticate taxpayers' identities when conducting remote transactions



Taxpayer First Act – Section 2302 (1/3)

The Legislation - The Taxpayer First Act (TFA) was signed into law on July 1, 2019. TFA includes 45 legislative provisions with a goal to modernize and improve the IRS. The provisions represent a substantial change to IRS organizationally, operationally, and technologically. The focus for this project is Provision 2302.

3

Not to be used or cited as precedent

3



Taxpayer First Act - Section 2302 (2/3)

 The Provision - The Act requires IRS to establish uniform standards and procedures for the acceptance of taxpayers' electronic signatures, which are meant to authorize disclosure to a practitioner or for any power of attorney granted by a taxpayer to a practitioner.

4

Taxpayer First Act – Section 2302 (3/3)

The Goal - Lead the implementation of the Taxpayer Digital Communications (TDC) solution (to be released in January 2021) to allow for the submission of digital signatures on Forms 2848 and 8821 while monitoring the **longer-term Tax Professional Account solution** (first release in July of 2021) to allow for online authorizations.

Not to be used or cited as precedent



TFA Provision 2302

TFA, Section 2302, states, "Not later than 6 months after the date of the enactment of this subparagraph, the Secretary shall publish guidance to establish uniform standards and procedures for the acceptance of taxpayers' signatures appearing in electronic form with respect to any request for disclosure of a taxpayer's return or return information under section 6103(c) to a practitioner or any power of attorney granted by a taxpayer to a practitioner."



TFA Provision 2302 - cont'd

- On December 3, 2019, IRS published an overarching e-Signature policy (IRM 10.10.1) addressing electronic signature policy for all IRS forms (unless explicitly excluded).
- Forms 2848 (Power of Attorney) and 8821 (Tax Information Authorization) not specifically addressed in IRM as electronic signatures are not currently accepted on either form.

Not to be used or cited as precedent

7



TFA Provision 2302 – January 2021

Launch Submit Forms 2848 and 8821 Online

- IRS launches "Submit Forms 2848 and 8821
 Online," a special IRS.gov page featuring an
 existing IRS secure messaging platform that
 allows for document upload. Must verify identity
 through Secure Access or use existing Secure
 Access username/password.
- Tax pros answer a few questions and check box that client's identity was authenticated and then upload forms to the platform.



TFA Provision 2302 - January 2021- cont'd

- IRS Tax pros would have the option of using commercial digital signature products to obtain client e-signatures on Forms 2848/8821.
- Tax pros must follow the "Electronic Signatures" requirements outlined in the form instructions to verify the taxpayer's identity when the taxpayer electronically signs in a remote transaction.
- Forms can be submitted in either PDF or image formats such as jpeg or png; only one form may be uploaded at a time. Forms are routed to CAF unit for normal processing.

Not to be used or cited as precedent

_





Communications & Liaison STAKEHOLDER LIAISON

TFA Provision 2302 – Summer 2021 (1/3)

Launch Tax Pro Account

- IRS launches new Tax Pro Account, a secure, self-service online portal giving tax pros another way to allow clients to sign authorizations electronically.
- Tax pros access their Tax Pro Account by passing Secure Access authentication or by using username/password from existing account, such as e-Services.



TFA Provision 2302 – Summer 2021 (2/3)

Launch Tax Pro Account

- Tax pros initiate authorizations within Tax Pro Account, which interfaces with the online account for taxpayers. Authorizations routed to the client's online account for e-signature.
- Taxpayer digitally signs authorization forms within his/her online. account. Authorizations routed to Centralized Authorization File (CAF) automatically.

11

Not to be used or cited as precedent

11

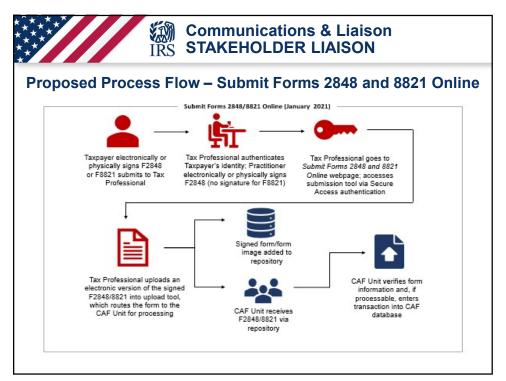


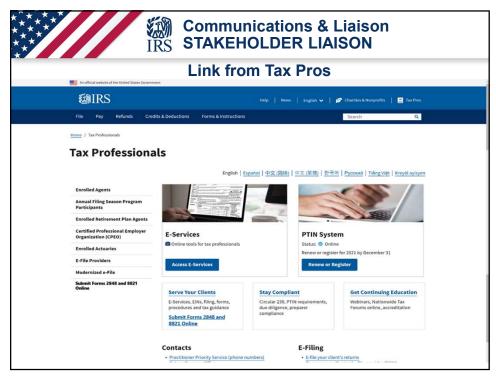
TFA Provision 2302 – Summer 2021 (3/3)

Launch Tax Pro Account

- Wait period for CAF processing is minimized with most authorizations processing immediately.
- Tax Pro Account functionality increases over time.

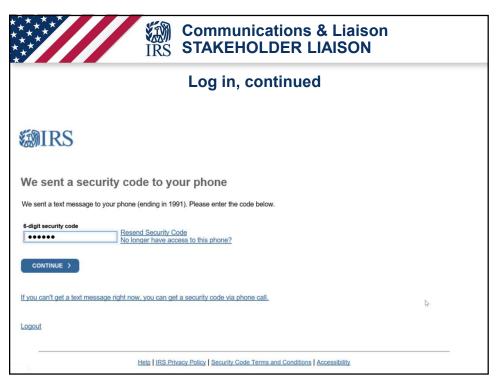
12



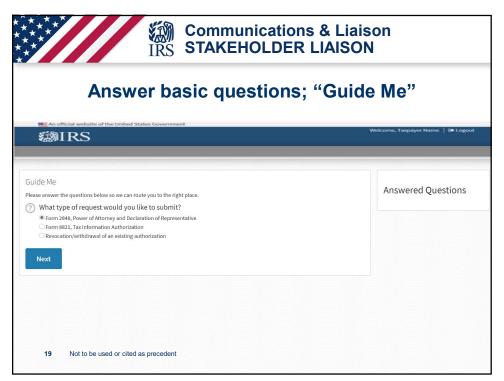




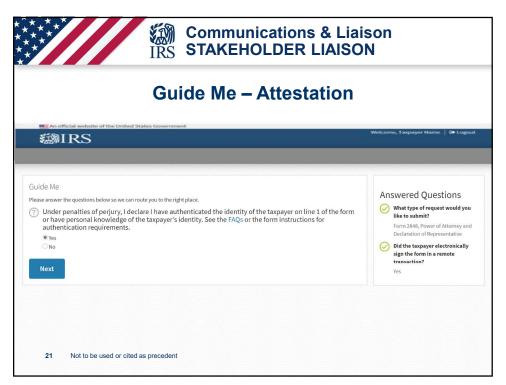


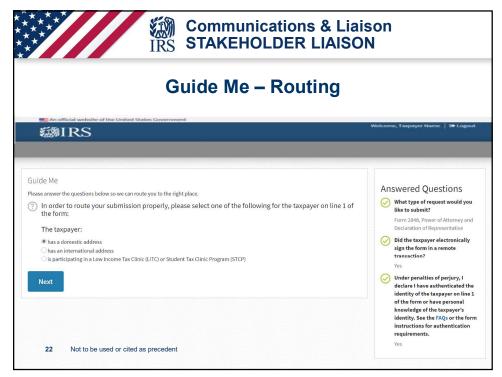


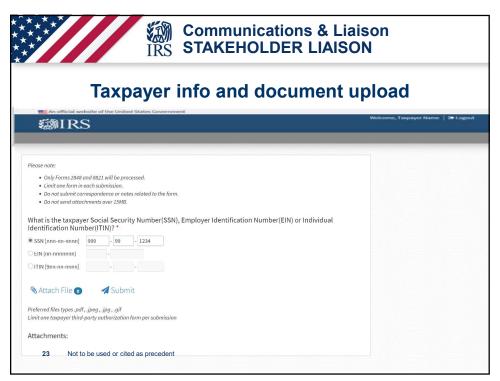


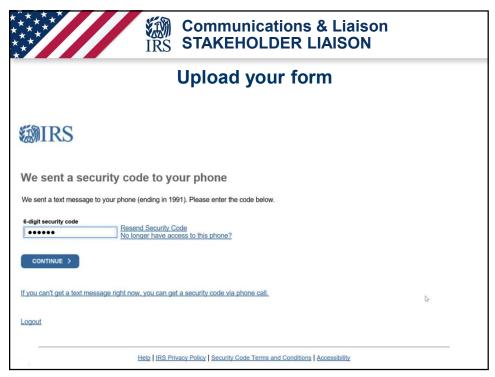


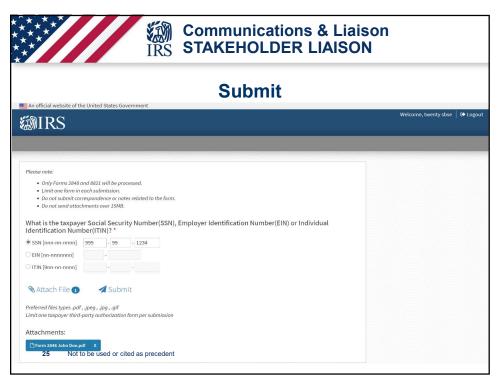


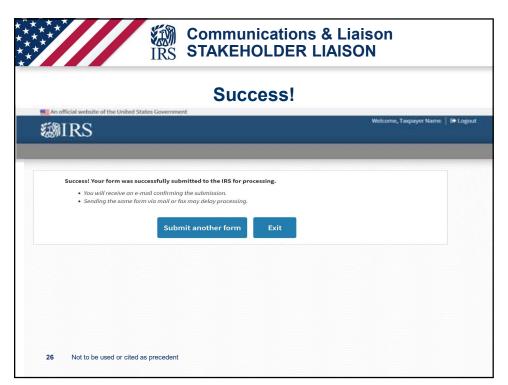


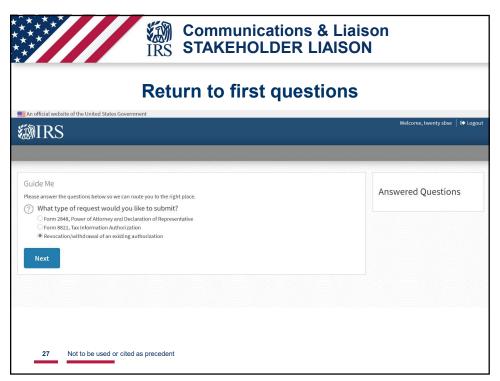


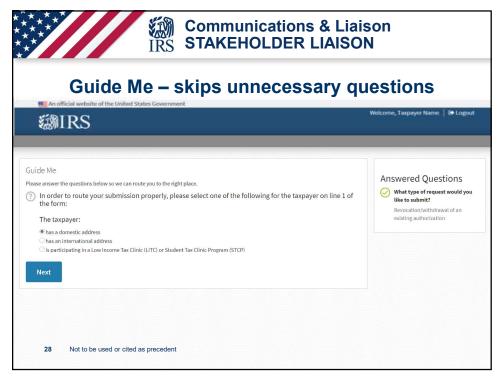














Signature Options for POA and TIA January 2021

	Mail/Fax/e-Fax to PPS	Online via Submit Form 2848 and Form 8821
Taxpayers	Wet signature only	Image of Wet signatureElectronic signature
Tax Professionals	Wet signature only	Form 2848 Image of Wet signature Electronic signature Form 8821 No signature requirement

29



Signature Options for POA and TIA – cont'd Summer 2021 – Add Tax Pro Account

	Mail/Fax/e-Fax to PPS	Online via Submit Form 2848 and Form 8821
Taxpayers	Wet signature only	Image of Wet signatureElectronic signature
Tax Professionals	Wet signature only	Form 2848 Image of Wet signature Electronic signature Form 8821 No signature requirement



Electronic Signature

Electronic signatures appear in many forms and may be created by many technologies. No specific technology is required. Examples of acceptable electronic signature methods include:

- A typed name that is typed into a signature block
- A scanned or digitized image of a handwritten signature that is attached to an electronic record
- A handwritten signature input onto an electronic signature pad
- A handwritten signature, mark, or command input on a display screen with a stylus device

31



Communications & Liaison IRS STAKEHOLDER LIAISON

Electronic Signature – cont'd

An electronic signature is an electronic symbol attached to an electronic record used by a person with an intent to sign. A digital signature is a form of an electronic signature that includes encrypted data produced by a mathematical process applied to a record using a hash algorithm and public key cryptography.



Authentication for F2848/8821 (1/3)

- If the taxpayer electronically signs the authorization form in a remote transaction, the taxpayer's identity must be authenticated.
- Authentication for remote transactions, however, is not required where the individual has personal knowledge of the taxpayer's identity (e.g., through a previous business relationship, a personal relationship such as an immediate family member, or similar-type relationship such as between an employer and an employee).

33

Not to be used or cited as precedent

33





Communications & Liaison STAKEHOLDER LIAISON

What does authentication mean?

- Authentication requirement consistent with responsibilities under Circular 230
- Sec. 10.22 Diligence as to accuracy
 - Preparing or assisting in the preparation of, approving, and filing ...documents...relating to IRS matters
 - In determining the correctness of oral or written representations made by practitioner to Dept. of Treas.
- Sec. 10.34 Standards with respect to... documents and other papers submitted to the IRS
 - 10.34(b) "not frivolous"

34



Authentication for F2848/8821 (2/3)

Proposed Change in Instructions for Form 2848 and 8821

To authenticate the taxpayer's identity for remote transactions, the individual must:

1. Inspect a valid government photo identification (ID) and compare the photo to the taxpayer via a self-taken picture of the taxpayer or video conferencing. Examples of government photo ID include a driver's license, employer ID, school ID, state ID, military ID, national ID, voter ID, visa or passport;

35

Not to be used or cited as precedent

35



Authentication for F2848/8821 (3/3)

Proposed Change in Instructions for Form 2848 and 8821

- 2. Record the name, Social Security Number or Individual Taxpayer Identification Number, address, and date of birth of the taxpayer; and
- 3. Verify the taxpayer's name, address and Social Security Number through secondary documentation, such as a Federal or state tax return, IRS notice or letter, Social Security Card, or credit card or utility statement.



Registering for Secure Access (1/3)

- To use the "Submit Form 2848 and 8821 Online" platform, an individual must register for Secure Access
 - Individuals already registered for secure access, including e-Services Online Tools for Tax
 Professionals or similar online tools, can use the upload platform to submit Forms 2848 and 8821

37

Not to be used or cited as precedent

37



Registering for Secure Access (2/3)

- To register for Secure Access, you will need:
 - Your personal information and mailing address from your most recently filed tax return
 - · Your financial account number
 - Your U.S. –based mobile phone to receive a one-time activation code
 - Or opt to receive the activation code through mail if you do not have a mobile phone

38

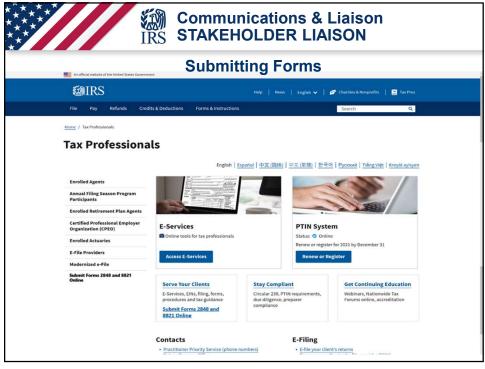


Registering for Secure Access (3/3)

Make sure you have the following information available when you register for Secure Access:

- Email address
- Social Security Number (SSN) or Individual Tax Identification Number (ITIN)
- Tax filing status and mailing address
- One financial account number linked to your name (credit card, student loan, mortgage or home equity loan, home equity line of credit, or auto loan)
- · Mobile phone linked to your name

Note: For more information on Secure Access, see IRS.gov/Secure Access





Key Points

41

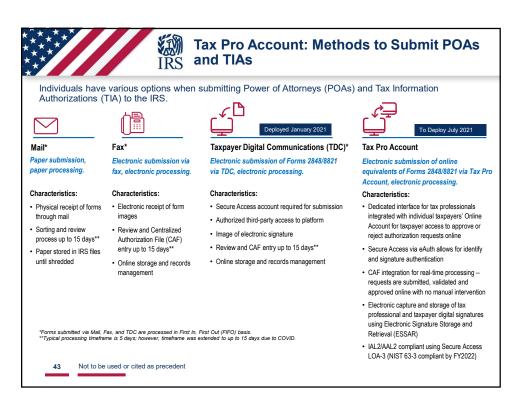


Tax Pro Account Walk-Thru

Richard Furlong, Jr. Senior Stakeholder Liaison

45th Annual Delaware Federal & State Tax Institutes
December 7, 2021

42







Expanding Services for Taxpayers

New Taxpayer Options for POA and TIA

Features launching summer 2021:

- IRS adds "authorization" feature to individual Online Accounts.
- IRS launches Tax Pro Account on IRS.gov to allow tax professionals to initiate online third-party authorization requests.
 - Tax professional initiates a POA or TIA, uses checkbox as electronic signature for POAs.
 - POA or TIA requests automatically transfers to individual taxpayer's Online Account
 - Taxpayer accesses their Online Account and select "Authorization" tab.
 - Taxpayer uses checkbox as signature and approves request.
 - Upon approval, authorization is automatically submitted to CAF.
- Most requests post immediately to CAF eliminating long waits for review and processing.
- Online Account and Tax Pro Account protected by identity proofing/multi-factor authentication (Secure Access).

44



To use the Tax Pro Account, individuals must register for Secure Access.

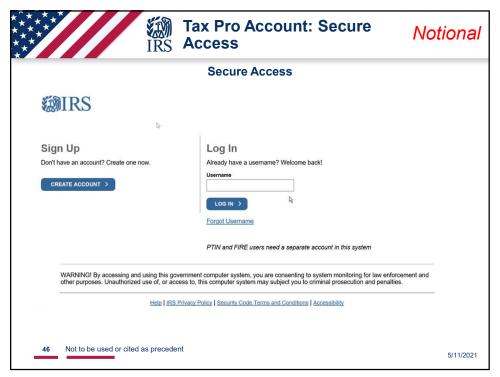
- Individuals already registered for secure access (e.g., Get Transcripts) can use the Tax Pro Account to initiate POAs and TIAs.
- · To register for secure access, you will need:
 - · Your email address
 - Your tax filing status, personal information, and mailing address from your most recently filed tax return
 - Your Social Security Number (SSN) or Individual Tax Identification Number (ITIN)
 - One financial account number linked to your name (credit card, student loan, mortgage or home equity loan, home equity line of credit, or auto loan)
 - · Your U.S. based cell phone to receive the one-time activation code
 - If you do not have a cell phone, you can opt to receive the activation code through mail

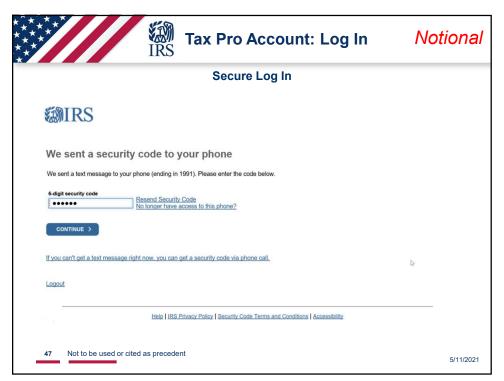
Note: For more information on Secure Access, see IRS.gov/Secure Access

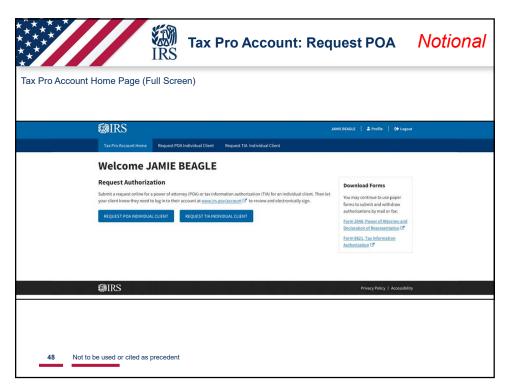
45

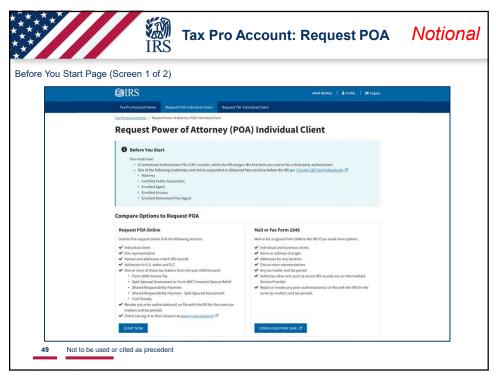
Not to be used or cited as precedent

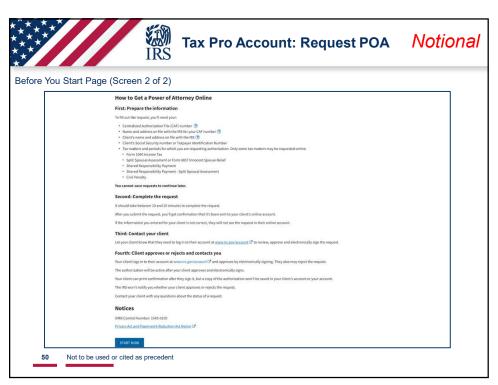
5/11/2021

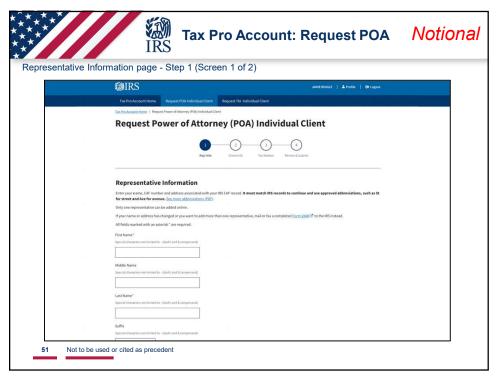




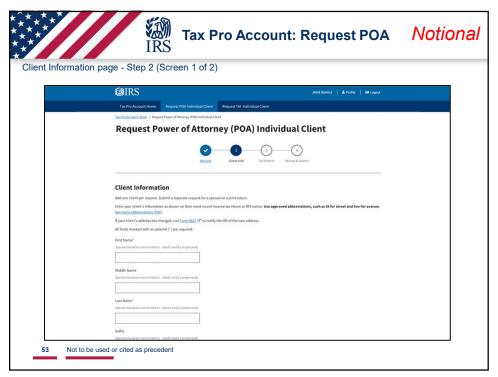




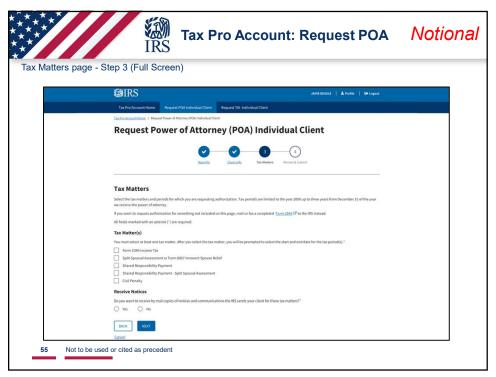


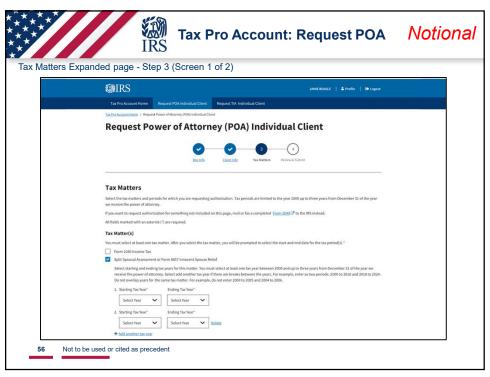


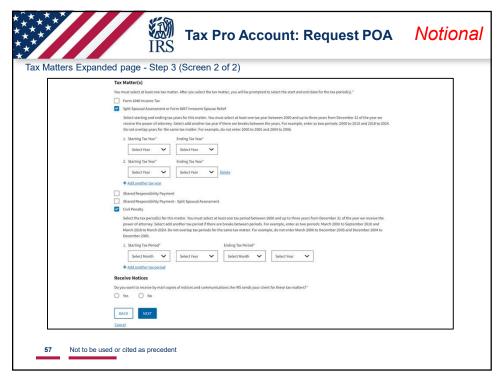
entative Ir	nformation page - Step 1 (Screen 2 o	of 2)	
	CAF Number* ① format example: 1234-5478)		
	Address Line 1* The number of characters is limited to 15. Special characters are limited to - (deaths, / Obreword stack), and is larguest-send and characters are limited to - (deaths, / Obreword stack), and is larguest-send. Address Line 2 The number of characters is limited to 15. Special characters, are limited to - (deaths, / Obreword stack), and is (ampressed). City*		
	The number of characters is intensited to 25, Special characters are limited to -Edohal, / Binnord stabil, and & Lampers and per limited to -Edohal, / Binnord stabil, and & Lampers and State* Two letter abbreviation		
	Five digits.		

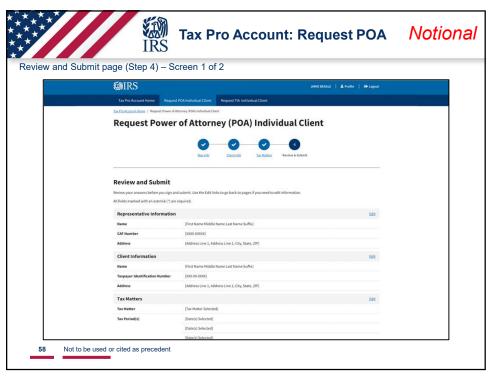


	Tax Pro Account: Request POA	Notiona
ient Informatio	n page - Step 2 (Screen 2 of 2)	
	Tappyr Identification Number* ① format sample: 121-45-4319	
	Address Line 1* The number of distances in Similar do 18. Special characters are from the Collection (Collection) and the Coll	
	Address Line 2 The number of classacters is limited to 3s. Special characters in the Indian Conference of Conference (Line Conference Conference Conference Conference Conference Conference Conference Conference Confere	
	City* The number of characters in limited to 25, Special characters are initiated to "Educations for Manufactures" are initiated to "Education (Convent Guide, and & Lompersand).	
	State* Two letter ab breviation	
	ZIP*	
	Tree digits.	
	BMOK NEXT	
	Cancel	

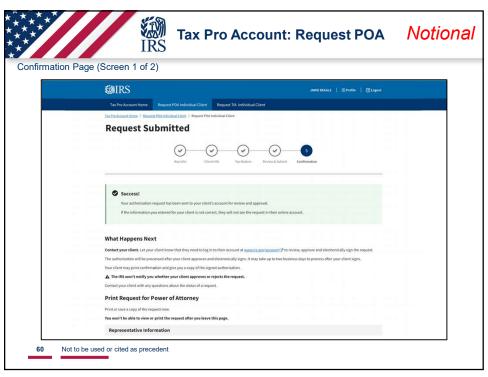




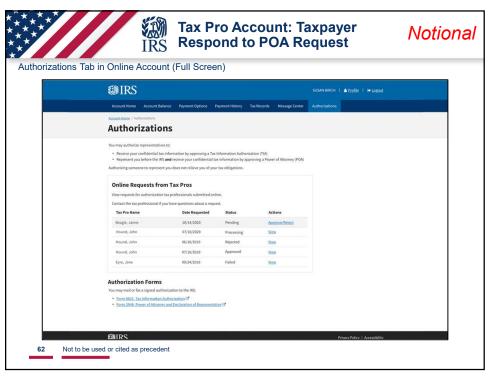


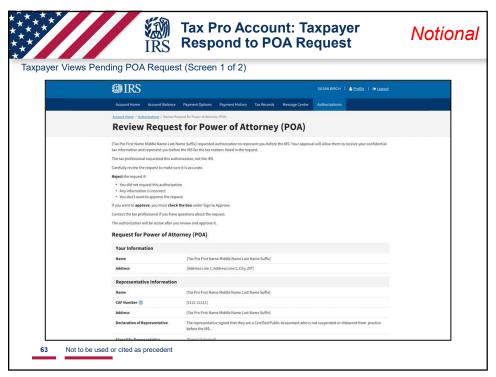


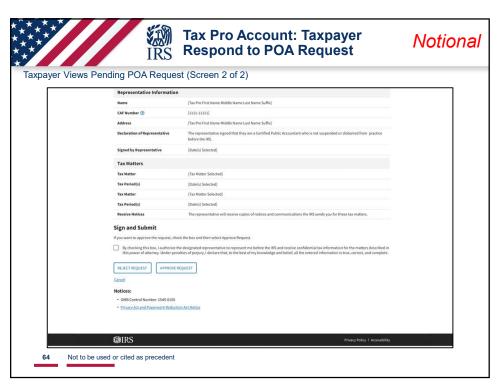
	- Screen 2 of 2		
Tax Matters	Edit		
Tax Matter	[Tax Matter Selected]		
Tax Period(s)	[Date(s) Selected]		
	[Date(s) Selected]		
	[Date(s) Selected]		
Tax Matter	[Tax Matter Selected]		
Tax Period(s)	[Date(s) Sefected]		
	[Date(s) Selected]		
Receive Notices	[Yes, No]		
Declaration of Represe	ntative		
I declare under penalties of pe	jury that:		
1.1 am not currently susp	ended or disbarred from practice, or ineligible for practice, before the Internal Revenue Service."		
	2. I am subject to regulations contained in Circular 230 (31 CFR, Subtitle A, Part 10), as amended, governing practice before the Internal Revenue Service.*		
3.1 am authorized to represent the taxpayer identified in this request for the matters specified in this request."			
	4. I am one of the following: (You will be prompted to enter your credentials.)* Atterney in good standing of the bar of the highest court of the state.		
200000000000000000000000000000000000000	ot the bar of the highest court of the state. It with an active license to practice in the state.		
9	per the requirements of Circular 230.		
 Enrolled Actuary by the J 	Enrolled Actuary by the Joint Board for the Enrollment of Actuaries under 29 U.S.C. 1242. The authority to practice before the IRS is limited by section 10.3(d) of		
Circular 230. Enrolled Retirement Plan	Agent under the requirements of Circular 230. The authority to practice before the IRS is limited by section 10.3(e) of Circular 230.		
Electronic Signature			
	y, I declare that, to the best of my knowledge and belief, all the entered information is true, correct, and complete."		
BACK SUBMIT			
Cancel			

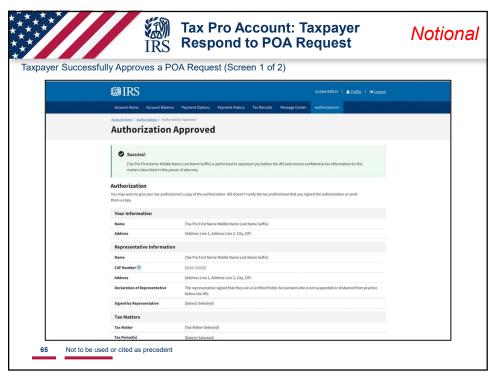


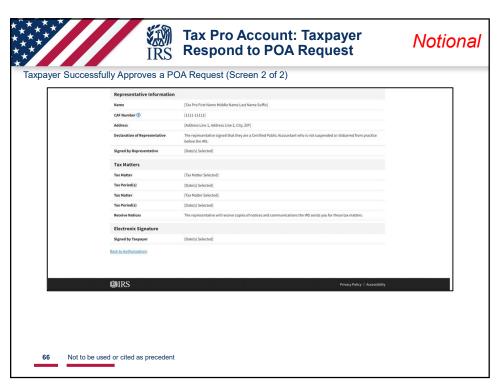
	IRS	Tax Pro Account: Request POA	Noti
Page (So	creen 2 of 2)		
_	Representative Information		
	Name	[First Name Last Name]	
	CAF Number	[10000-300000]	
	Address	[Address Line 1, Address Line 2, City, State, ZIP]	
	Client Information		
	Name	[First Name Last Name]	
	Taxpayer Identification Number	[000.00.40000]	
	Address	[Address Line 1, Address Line 2, City, State, ZIP]	
	Tax Matters		
	Tax Matter	[Tax Matter Selected]	
	Tax Period(s)	[Date(s) Selected]	
		[Date(s) Selectod]	
		[Date(s) Selected]	
	Tax Matter	[Tax Matter Selected]	
	Tax Period(s)	[Date(s) Selected]	
		[Date(s) Selected]	
	Receive Notices	[Yes, No]	
	Declaration of Representative		
	I am not currently suspended or disbarred from practice, or ineligible for practice, before the Internal Revenue Service.		
	Lam subject to regulations contained in Circular 230 (31 CFR, Subtisle A, Part 10), as amended, governing practice before the Internal Revenue Service.		
	I am authorized to represent the taxpayer identified in this request for the matters specified in this request.		
	I am a(n) [Attorney, CPA, Enrolled Age	nt, Enrolled Actuary, Enrolled Retirement Plan Agent, and applicable credentials	
	Electronic Signature		
	Signed by Representative	[Date]	













Tax Pro Account: Authorization Processing

- After taxpayer signs and approves authorization, the IRS again checks to see if tax professional is in good standing.
- If authorization clears validation, it is posted immediately (at least within 48 hours) to the Centralized Authorization File (CAF).
- Ability to have multiple representatives per authorization:
 - Each tax professional initiates authorization from their own Tax Pro Account
 - Taxpayer must sign all authorizations on the same day.
 - Only two tax professionals can elect to receive copies of IRS notices and communications sent to taxpayer
 - If more than two tax professionals make an election, after approval of the first two authorization by the taxpayer, the remaining authorizations will not be processed.

67

Not to be used or cited as precedent

67



Tax Pro Account: Future State

- IRS will continue to build on this initial release of Tax Pro Account to improve its features for authorization requests and, in later years, to add functionality as resources allow. Additional features requested and considered:
 - Tax professional's ability to view their authorization history, to include pending requests and statuses.
 - Notification to the taxpayer regarding action in their Online Account, to include pending authorization requests.
 - Taxpayer's ability to view their complete authorization history.
- IRS is also aware some taxpayers have difficulty creating Online Accounts (e.g., can't pass Secure Access registration) and is working on that issue.

68







Background

- Over the last ten years, IRS' budgets have decreased or remained flat despite increasing demands on the agency. As a result, IRS personnel has dramatically reduced through attrition and hiring freezes, which has constrained the agency mission and business results.
- In January 2021, pursuant to the <u>Taxpayer First Act</u>, IRS published a <u>Report to Congress</u> (RTC) which included recommendations for organizational redesign to reduce inefficiencies and improve the taxpayer and employee experience.
- Building on the work the Taxpayer First Act Office did to publish the TFA Report to Congress, and with potential for increased hiring, we're focused on building an IRS for the next generation.
- We're now shifting our focus to prioritize the long-term strategic recommendations in the Report to outline how we're structured, how the agency operates and how we make progress with our FY2022 budget resources.
- The TFA Office is becoming the IRS NEXT Office, which will focus on both the design and implementation of a revitalized IRS organization and, in partnership with HCO, lead a servicewide effort to integrate our recruiting, hiring, training and onboarding efforts.

70

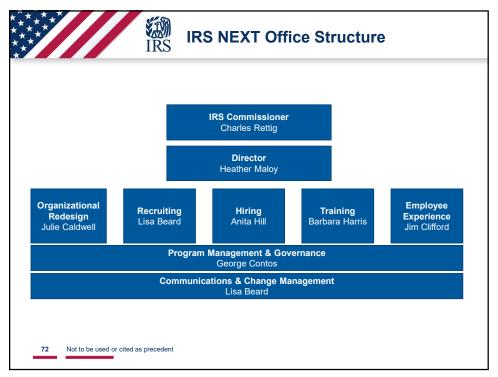


Report to Congress Strategy Implementation

- The Taxpayer Experience Office (TXO), led by Chief Taxpayer Experience Officer Ken Corbin, is standing up to implement the taxpayer experience strategies outlined in the Report to Congress.
- Ten cross-functional project teams have been established to help operationalize the Training Strategy. These teams are comprised of subject matter experts from the business units and training experts in the Human Capital Office.
- IRS NEXT will coordinate activities related to organizational redesign.

71

Not to be used or cited as precedent





Build out a structure that will:

- Improve operational efficiency
- Be more nimble so we can begin reducing the tax gap
- Improve the employee and taxpayer experience
- Make the IRS a compelling place to work that attracts the next generation by supporting learning and career advancement



73

Not to be used or cited as precedent

73





Questions?

You can always ask questions or submit feedback to IRSNext@irs.gov

74



THANK YOU!

75

Not to be used or cited as precedent

75



76

Richard Furlong, Jr.
Senior Stakeholder Liaison
richard.g.furlong@irs.gov

Yvette Brooks-Williams
Senior Stakeholder Liaison
yvette.brookswilliams@irs.gov